

REMARKS

The present application is U.S. Serial No. 10/616,145, filed July 8, 2003. Claims 1-46 are pending in the application. Applicant notes with appreciation that Claims 3-6, 8-14, 17-20, 24-30, 37-40 and 43 are objected to but would be allowable if rewritten in independent form. Claims 1, 2, 7, 15, 16, 21-23, 31-36, 41, 42 and 44-46 are rejected. Applicant respectfully traverses these rejections.

Claim Rejections Under 35 U.S.C. 103

Claims 1, 15, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton et al. Claim 1 recites:

"wherein the display device is positionable to provide a portion of the out-the-window field of view to the operator to fill in the area of desired field of view that is not visible from windows of the device, and the entire desired field of view for the operator is provided by the display device in combination with the out-the-window scene available through the windows of the device."

In contrast, Hamilton teaches a virtual image display (VID) system that provides the entire field-of-view for the pilot. (Hamilton, Fig. 7). Hamilton does not teach or suggest that the display device provides a portion of the out-the window field of view, or that an entire desired field of view for the operator is provided by the display device in combination with the out-the-window scene available through the windows of the device. The entire field of view in Hamilton is provided EITHER by the out the window view or the VID, but not the combination of the two. Further, the VID system provides images of the external world during non-visual flight conditions such as those where the pilot's visual system is unable to comprehend the external world with sufficient clarity to ensure safe and/or efficient operation. (Hamilton, col. 4 lines 23-29). The system taught by Hamilton uses the VID when the out-the-window scene is not available, thus further teaching away from using a combination of the display device with the out-the-window scene to provide the desired field of view. Claim 1 is distinguishable from Hamilton for at least these reasons.

Claims 2-14 and 47 depend from Claim 1 and include features that further distinguish them from the cited references.

Claim 15 recites: "wherein the display device is positionable to provide a portion of a desired out-the-window field of view to the crewmember, and the entire desired field of view for the crewmember is provided by the display device in combination with the out-the-window scene available through cockpit windows of the aircraft." Claim 15 is distinguishable from Hamilton because the VID system provides the entire field-of-view for the pilot. (Hamilton, Fig. 7). Hamilton does not teach or suggest that the display device provides a portion of the out-the window field of view, or that an entire desired field of view for the operator is provided by the display device in combination with the out-the-window scene. The entire field of view in Hamilton is provided EITHER by the out the window view or the VID, but not the combination of the two. Further, the VID system provides images of the external world during non-visual flight conditions such as those where the pilot's visual system is unable to comprehend the external world with sufficient clarity to ensure safe and/or efficient operation. (Hamilton, col. 4 lines 23-29). The system taught by Hamilton uses the VID when the out-the-window scene is not available, thus further teaching away from using a combination of the display device with the out-the-window scene to provide the desired field of view. Claim 15 is distinguishable from Hamilton for at least these reasons.

Claims 16-30 depend from Claim 15 and include features that further distinguish them from the cited references.

Claim 31 has been amended to include limitations from claim 37, specifically, "wherein the display processor is operable to display a preconfigured display image based on the crewmember's role in operating the aircraft." Claim 37 has been canceled.

Claims 32-36 and 38-46 depend from Claim 31 and include features that further distinguish them from the cited references.

New Claim

Claim 47, which depends from claim 1, has been added to claim subject matter originally included at least in paragraph [0062] and [0063] of the specification. Examination of Claim 47 is respectfully requested.

CONCLUSION

Applicant believes claims 1-36 and 38-47 are in condition for allowance and notice to that effect is solicited. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 350-7301.

I hereby certify that this correspondence is being transmitted to the USPTO on the date shown below:

/Mary Jo Bertani/
(Signature)

Mary Jo Bertani
(Printed Name of Person Signing Certificate)

May 8, 2007
(Date)

Respectfully submitted,

/Mary Jo Bertani/

Mary Jo Bertani
Attorney for Applicant(s)
Reg. No. 42,321

KOESTNER BERTANI LLP

2192 Marin St.
SUITE 4150
IRVINE, CA 92612
TEL (949) 350-7301
FAX (949) 251-0260